

IC 33-5-11

Chapter 11. Grant Superior Court

IC 33-5-11-1

Judicial districts

Sec. 1. The county of Grant shall be and constitute the Grant Superior Court Judicial District and the county of Delaware shall be and constitute the Delaware Superior Court Judicial District of the state of Indiana.

(Formerly: Acts 1929, c.244, s.1.)

IC 33-5-11-2

Repealed

(Repealed by P.L.292-1983, SEC.19.)

IC 33-5-11-3

Repealed

(Repealed by P.L.292-1983, SEC.19.)

IC 33-5-11-4

Repealed

(Repealed by P.L.292-1983, SEC.19.)

IC 33-5-11-5

Repealed

(Repealed by P.L.292-1983, SEC.19.)

IC 33-5-11-6

Repealed

(Repealed by P.L.292-1983, SEC.19.)

IC 33-5-11-7

Repealed

(Repealed by P.L.292-1983, SEC.19.)

IC 33-5-11-8

Repealed

(Repealed by P.L.292-1983, SEC.19.)

IC 33-5-11-9

Repealed

(Repealed by P.L.292-1983, SEC.19.)

IC 33-5-11-10

Judge of Grant county superior court; term; election; vacancy

Sec. 10. The term of the judge of the Grant superior court shall be six (6) years, if the person shall so long behave himself well, beginning on the first day of January next following his election. The voters of Grant County every six (6) years at a general election shall elect a person as judge of the court. The election shall be certified in the same

manner as is provided by law for the certifying of the election of circuit court judges. If for any cause a vacancy shall occur in the judgeship of the court, the governor shall appoint and commission a person to fill such vacancy for the unexpired term.

(Formerly: Acts 1929, c.244, s.10.) As amended by Acts 1976, P.L.133, SEC.5; P.L.171-1984, SEC.26.

IC 33-5-11-11

Jurisdiction of Grant superior court

Sec. 11. The Grant Superior Court has the same jurisdiction as the circuit court of its county.

(Formerly: Acts 1929, c.244, s.11.) As amended by Acts 1978, P.L.136, SEC.33.

IC 33-5-11-12

Sessions of Grant superior court

Sec. 12. The Grant Superior Court shall hold its sessions in the city of Marion in the county of Grant, state of Indiana.

(Formerly: Acts 1929, c.244, s.12.) As amended by Acts 1981, P.L.272, SEC.38.

IC 33-5-11-13

Clerk and sheriff of Grant county superior court; prosecuting pleas of state

Sec. 13. The clerk of the circuit court and the sheriff of said county of Grant shall be respectively the clerk and sheriff of said superior court of said county, and such clerk and sheriff shall attend said court in said county and discharge all the duties pertaining to their respective offices, as they are now or may hereafter be required to do by law in the circuit court. They shall be governed in all things by the laws now in force for their government in the circuit court. The prosecuting attorney of the forty-eighth judicial circuit shall prosecute the pleas of the state in said Grant Superior Court.

(Formerly: Acts 1929, c.244, s.13.)

IC 33-5-11-14

Laws governing practice and procedure; summoning jury

Sec. 14. (a) All laws governing pleading, practice, establishing rules, issuing and serving process, giving notice, appointment of judges pro tem and special judges, changes of venue from the judge and from the county, adjournments by the court and by the clerk in the absence of the judge, contempt and appeals in force in the circuit courts, shall, as far as applicable, govern proceedings in Grant superior court. In all cases in which appeals are authorized to be taken to and from circuit courts, appeals in cases of which said superior court has jurisdiction may be taken to and from said superior court in like manner. Changes of venue may be had from any circuit or superior court to the superior court of said county of Grant, and from the superior court of said county of Grant, to any circuit or superior court having jurisdiction of the subject matter of the cause of action, in the same manner that

changes of venue are provided for, from, and to the circuit courts of the state. However, if a change of venue is had from the judge of either the circuit or superior court of said Grant County in any cause of which said circuit and superior courts have concurrent jurisdiction, such cause may be sent to the circuit or superior court of said county, as the case may be, and the original papers in such causes shall be transferred from one court to the other, no transcript being necessary. The court to which said cause is so transferred shall have jurisdiction to hear and determine the same and render judgment thereon.

(b) The superior court shall, during each calendar year, appoint two (2) persons of Grant County as jury commissioners, and the law made with reference to jury commissioners appointed by the circuit court shall fully govern the said jury commissioners as appointed by said superior court in all things, conditions, and qualifications. The jury commissioners shall prepare and draw the jury for said superior court as the law directs the same to be done by the jury commissioners for the circuit court, and the said superior court shall be governed by said law in making said appointments of said jury commissioners. The clerk of Grant County in issuing process for said jury, and the sheriff of said county in serving the same, shall in all things be governed by the law made for petit jurors in the circuit court. However, the superior court may order on what day said jurors shall be summoned to attend said court, and the judge of said court may order the selection and summoning of other jurors for said court whenever the same may be necessary. If, at any time, a jury shall be not drawn, then the clerk of said court shall select from among the properly qualified residents of such county, jurors for such term, who shall be summoned and considered in all things as the regular panel of said court.

(Formerly: Acts 1929, c.244, s.14.) As amended by Acts 1981, P.L.272, SEC.39; P.L.171-1984, SEC.27.

IC 33-5-11-15

Transcript; change of venue in case transferred into or out of superior court

Sec. 15. Whenever any cause is transferred from the Grant circuit court to the Grant superior court or from the Grant superior court to the Grant circuit court without a transcript having been made, and if such case shall be taken on a change of venue to a court of another county, or if any such cases shall be appealed to the court of appeals or to the supreme court, then the parties procuring the change of venue or the appeal may have a transcript made of the proceedings in each of the courts and certified by the clerk of the courts, respectively, and these transcripts have the same force and effect and give to the court to which it is taken on change of venue or on appeal the same jurisdiction as though such transcript had been originally made, when the cause was transferred from one court to the other.

(Formerly: Acts 1929, c.244, s.15.) As amended by P.L.3-1989, SEC.193.

IC 33-5-11-16

Entries in dockets and records

Sec. 16. It shall be the duty of the clerk of the Grant Circuit Court to enter all judgments rendered in, and executions issued from, and papers filed in said superior courts in the same judgment and execution dockets, lis pendens records and other dockets and records, except order-books, as are used for judgments and executions and proceedings of the circuit court of said county; the clerk noting whether any judgment or proceeding is a judgment or proceeding of the circuit or superior court.

(Formerly: Acts 1929, c.244, s.16.)